

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

MICHAEL A. LAMIA,

Plaintiff,

vs.

THE BOROUGH OF PLUM t/d/b/a
BOROUGH OF PLUM, PLUM BORO,
PLUM BOROUGH; ZONING HEARING
BOARD OF PLUM BORO; KEVIN FIELDS,
ZONING OFFICER and/or DESIGNATED
REPRESENTATIVE OF PLUM BORO;
HEATHER ORAVITZ, BUILDING CODE
OFFICIAL OF PLUM BORO; and DAVID A.
SOBOSLAY, ASSISTANT MANAGER OF
PLUM BORO, in their Individual and/or
Official Capacities,

Defendants.

)
) No. 2:21-cv-1856-RJC
)
)
) Judge Robert J. Colville
)

ORDER OF COURT

Before the Court is Plaintiff Michael A. Lamia's Motion to Remand pursuant to 28 U.S.C. § 1447(c) and/or (d) (ECF No. 7), Defendants' Motion to Dismiss pursuant to Fed. R. of Civ. Pro. 12(b)(6) (ECF No. 10), and Plaintiff's Motion to Stay Defendants' Motion to Dismiss (ECF No. 12).

AND NOW, this 13th day of March, 2023, upon consideration of Plaintiff's Motion to Remand and Motion to Stay, and for the reasons set forth in this Court's Opinion of the same date, it is hereby ORDERED that:

- 1) Plaintiff's Motion to Remand is DENIED;
- 2) Plaintiff's Motion to Stay is DENIED as moot; and
- 3) Plaintiff shall file a response to Defendants' Motion to Dismiss by April 3, 2023, and Defendant shall file their reply by April 10, 2023.

BY THE COURT:

/s/ Robert J. Colville
Robert J. Colville
United States District Judge

cc: All counsel of record